

CITY COUNCIL, CITY OF LODI  
CITY HALL COUNCIL CHAMBERS  
March 7, 1962

A regular meeting of the City Council of the City of Lodi was held beginning at 8:00 p.m. of Wednesday, March 7, 1962. Councilmen Brown, Katzakian, Mitchell, Ullmann and Culbertson (Mayor) present. None absent.

Also present: City Manager Graves, Planning Director Rodgers, City Attorney Mullen and Administrative Assistant Carlton.

MINUTES Minutes of February 21, 1962, were approved as written and mailed on motion of Councilman Katzakian, Mitchell second.

PUBLIC HEARINGS

APPEAL DENIED Notice thereof having been published in accordance  
RE BEAUTY with law, Mayor Culbertson called for public hear-  
SHOP AT 517 ing on the appeal of Harry and Claudia Kries from  
N. CHURCH ST. the decision of the City Planning Commission  
approving the request of Helen Kolb for a use per-  
mit to establish a one-operator beauty shop at  
517 North Church Street in the R-3 multiple family  
residence zone. City Manager Graves read the  
report from the Planning Commission which had  
approved the request of Mrs. Kolb for the follow-  
ing reasons: Increase in traffic from the shop  
would be negligible because of the size of the  
shop and the removal of one existing dwelling unit;  
on-street and off-street parking is available; and  
apparently there have been no problems with the  
existing shop of Claudia Kries and a second shop  
could be operated without adversely affecting the  
type of residential development in the area. The  
Mayor then called for those in favor of the appeal  
to be heard. Mr. Harry Kries, 513 North Church  
Street, spoke in favor of his appeal, stating that  
the Planning Commission had not been fully informed  
and that he opposed the issuance of a use permit  
to Mrs. Kolb for the following reasons: (1) It  
will add to the increase in traffic which will also  
be increased by the opening of the Turner Road  
Underpass; (2) there will not be sufficient park-  
ing area in front of the proposed beauty shop; and  
(3) it will cause confusion among the customers to  
have adjacent beauty shops. Mr. William Gretsinger,  
602 North Church Street, stated that an additional  
beauty shop would cause traffic problems and that  
there would be too many cars because of the cus-  
tomers. The City Clerk then read a letter from  
Marie Koenig, 125 Olive Court, who objected to the  
use permit because of the traffic. There being no  
further comments in favor of the appeal, Mayor  
Culbertson called for hearing from the opponents  
of the appeal. Mr. Alvin Kolb, 617 Daisy Avenue,  
stated that he did not think the opposition to the  
beauty shop was valid because (1) a one-operator  
shop would not have more than two customers at any  
one time and sufficient off-street parking would  
be provided in addition to the on-street parking;  
(2) there would be no confusion to customers since  
the names of the shops are different and Helen's

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clientele have been with her for many years; and (3) the residential character of the area will not be changed as no changes will be made to the outside of the duplex which will be used primarily as a residence. Mrs. Kolb said she was not asking for any special favors, but had complied with the zoning requirements and felt that she should be given a permit to operate as had other operators throughout the city. Mr. Oliver Fecklenberg of Alpine Realty Company, felt that fear of competition might be the reason for the opposition. A letter was then read from Mr. and Mrs. Alvin J. Eggers, 610 N. Church Street, stating that they felt the objections to the use permit were groundless. A letter was also read from Mrs. Ruth Lerza, 531 Gerard Drive, who felt that Mrs. Kolb was entitled to the permit. The Council felt that a one-operator shop would not create a traffic hazard, that any possible customer confusion would be minor, that the residential character of the place would not be changed, that the requirements for a use permit had been met, and therefore the Council had no valid reason for denying the permit. Councilman Mitchell then moved that the appeal of Harry and Claudia Kries be denied and that the decision of the City Planning Commission to issue a use permit to Helen Kolb to establish a one-operator beauty shop at 517 North Church Street be upheld. The motion was seconded by Councilman Katzakian and carried.

WESTDALE ADDE.  
ANNEXATION  
ORD. NO. 719  
INTRODUCED

Notice thereof having been published in accordance with law, Mayor Culbertson called for public hearing on the proposed annexation of the Westdale Addition, being 29.4 acres of land located south of Kristmont Acres Subdivision. There were no protests, written or oral. On motion of Councilman Brown, Ullmann second, the City Council introduced Ordinance No. 719 annexing the Westdale Addition to the City of Lodi, by reading of title only and waiving reading of the ordinance in full.

1961 EDITION  
UNIFORM BLDG.  
CODE ADOPTED  
ORD. NO. 716  
ADOPTED

Notice thereof having been published in accordance with law, the Mayor called for hearing on the intention of the City Council to adopt Ordinance No. 716 adopting the 1961 edition of the Uniform Building Code with certain revisions and additions thereto. There were no protests, written or oral. Councilman Ullmann then moved the adoption of ORDINANCE NO. 716, entitled "AN ORDINANCE ADOPTING THE 'UNIFORM BUILDING CODE,' 1961 EDITION, VOLUMES I and III, REGULATING THE ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, MOVING, REMOVAL, CONVERSION, DEMOLITION, OCCUPANCY, EQUIPMENT, USE, HEIGHT, AREA, AND MAINTENANCE OF BUILDINGS OR STRUCTURES IN THE CITY OF LODI; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; DECLARING AND ESTABLISHING FIRE DISTRICTS; PROVIDING PENALTIES FOR THE VIOLATION THEREOF, AND REPEALING SECTIONS 5-1, 5-2, AND 5-3 OF THE CODE OF THE CITY OF LODI AND ALL OTHER ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT THEREWITH", which had been introduced at the meeting of February 7, 1962. The motion was seconded by Councilman Brown. Second reading was omitted after reading by title, and Ordinance No. 716 was then passed, adopted and ordered to print by the following vote:

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AYES: Councilmen - BROWN, KATZAKIAN, MITCHELL  
ULLMANN and CULBERTSON

NOES: Councilmen - NONE

ABSENT: Councilmen - NONE

SUPERVISOR  
LEHMAN

Mr. Vernon Lehman, San Joaquin County Supervisor, thanked the City Council for sending Mayor Culbertson to Washington, D.C., with the delegation that appeared before a Congressional committee to urge early construction of the Folsom South Canal-Auburn Dam Project. He said the Mayor made a fine presentation and that the joint delegation was another instance of the cooperation between the County and cities.

COMMUNICATIONS

N. LOMA DRIVE  
ADDITION

RES. NO. 2518  
ADOPTED

A petition was presented from owners of real property not less than one-fourth of the land by area and by assessed valuation for annexation of the North Loma Drive Addition to the City of Lodi. The property consists of 7.7 acres at the northeast corner of Lockeford Street and Loma Drive. The boundaries were approved by the County Boundary Commission on January 9, 1962. On motion of Councilman Katzakian, Mitchell second, the City Council adopted Resolution No. 2518, resolution of intention to annex the North Loma Drive Addition to the City of Lodi and setting public hearing thereon for April 17, 1962.

REPORTS OF THE CITY MANAGER

AWARD-  
GASOLINE,  
OILS AND  
GREASES

RES. NO. 2519  
ADOPTED

City Manager Graves resubmitted the bids on gasoline oils and greases which had been presented at the meeting of February 21, 1962, stating that an error in extending the bid figures had been discovered which reversed the order of the two low bidders. As a result, Richfield Oil Company is the low bidder and the City Manager recommended that Resolution No. 2516 awarding the contract to Humble Oil Company be rescinded and that award be made to Richfield Oil Company. The corrected tabulation of bids is as follows:

Richfield Oil Company	\$ 33,063.40
Humble Oil Company	33,487.60
Texaco, Inc.	33,796.85
Signal Oil Company	33,961.88
Standard Oil Company	34,100.20
Seaside Oil Company	38,220.15

On motion of Councilman Brown, Katzakian second, the City Council adopted Resolution No. 2519 rescinding Resolution No. 2516 and awarding the contract for gasoline, oils and greases to Richfield Oil Company.

CITY ELECTION

The City Manager presented the list of consolidated precincts, polling places and election officers compiled by the City Clerk for action by the City Council. On motion of Councilman Mitchell, Katzakian second, the City Council ordered the consolidation of County precincts, the designation of polling places and appointment of election officers as listed for the general municipal election to be held April 10, 1962.

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AWARD -  
POLICE CARS

Bids on four police cars were presented as follows:

	<u>Standard</u>	<u>Alternate</u>
RES. NO. 2520		
ADOPTED	Weil Motors	\$3,591.53
	Loewen Auto Co.	4,179.58
	Krieger Motor Co.	5,659.04

The above figures include sales tax and trade-in allowance on four cars. Councilman Katzakian moved the adoption of Resolution No. 2520 awarding the contract for police cars to Weil Motors for \$3,591.53. Motion was seconded by Councilman Mitchell and carried.

AWARD -  
AMERICAN  
LEGION PARK  
CURB & GUTTER

RES. NO. 2521  
ADOPTED

The City Manager reported that only one bid had been received on the curb, gutter and sidewalk for American Legion Park. The bid was from William Burkhardt for the sum of \$3,093.40 which was below the Engineer's estimate of \$3,305. The City Manager recommended that award be made to William Burkhardt. On motion of Councilman Katzakian, Brown second, the City Council adopted Resolution No. 2521 awarding the contract for curb, gutter and sidewalk at American Legion Park to William Burkhardt for the sum of \$3,093.40.

CLAIMS

Claims in the amount of \$107,083.74 were approved on motion of Councilman Brown, Katzakian second.

JOB SPECS -  
UTILITIES  
ASSISTANT

RES. NO. 2522  
ADOPTED

City Manager Graves submitted revised specifications for the classification of Assistant Superintendent of Public Utilities. He said that the requirements of the job had changed and that it would be desirable to have a person with electrical engineering training, although persons without engineering training but with certain types of qualifying experience would also be eligible. An open competitive examination will be held for the position which is presently vacant. On motion of Councilman Katzakian, Brown second, the City Council adopted Resolution No. 2522 adopting the revised specifications for Assistant Superintendent of Public Utilities.

SPECS -  
WATER PIPE

City Manager Graves presented specifications for cement asbestos water pipe. He stated that the Attorney General has ruled that since asbestos is a foreign product, foreign-made asbestos pipe could be purchased by governmental jurisdictions. Nevertheless, State law is explicit about purchasing only American-made products, and the City has heretofore used only American-made pipe. This pipe could not be properly coupled with the foreign-made pipe and, also, there has been some question as to the quality of the foreign pipe. Councilman Katzakian moved the adoption of the following: With respect to the "Notice Inviting Bids for Asbestos Cement Water Pipe," the City Council finds that:

1. At the present time the water lines installed for the water distribution system of the City are American-made pipe; that in the event future pipe to be purchased for extension of said system or replacement of the present pipe is foreign-made pipe, the same cannot be properly coupled to our present water system and would involve a great deal of expenditure of City funds.

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2. Upon information and belief; the City Council is informed and believes that the quality of construction of foreign-made asbestos cement pipe is inferior to the American-made asbestos cement pipe.

The motion was seconded by Councilman Ullmann and carried. Councilman Mitchell then moved that the specifications for asbestos cement water pipe be approved and that call for bids be authorized. Motion was seconded by Councilman Brown and carried.

BICYCLES AT  
TURNER RD  
UNDERPASS

ORD. NO. 720  
INTRODUCED

City Manager Graves recommended that an ordinance be adopted which would prohibit bicycles from being ridden in the vehicular travelled way of the Turner Road Underpass but would require that any operator of a bicycle walk his bicycle in the pedestrian sidewalk which has been provided. On motion of Councilman Katzakian, Mitchell second, the City Council introduced Ordinance No. 720 prohibiting bicycles from being ridden in the vehicular lanes of the Turner Road Underpass.

CITY CODE  
SUPPLEMENTS

CONTRACT  
APPROVED

Since the contract with Michie City Publications Company which provided for the issuance of supplements to the City Code has expired, the Company has submitted a new contract for preparation of annual supplements to the Code. The contract is similar to the previous contract except that it is for a period of five years and provides that the City shall pay the sum of \$9.00 per original page. The previous contract was for \$8.00 per page. The City Manager and City Attorney recommended that the contract be accepted. On motion of Councilman Brown, Katzakian second, the City Council approved the agreement and authorized the Mayor to execute same.

FEE FOR  
SWIMMING  
INSTRUCTIONS

City Manager Graves stated that the Recreation Commission had recommended that a fee of \$1.00 be charged to children taking swimming instructions. Last summer the Recreation Department had 1,800 children taking free instructions and the cost thereof was quite an item in the department's budget. The Commission feels that a fee of \$1.00 is a reasonable one and hopes that if there are any children desiring to take lessons who cannot pay the fee, there will be some people or organizations willing to pay the fee. Also, if a fee is charged, the children will probably attend more regularly and take the lessons more seriously. Members of the Council expressed concern over children who would not have money for the fee, but felt that there would be enough interested persons who would be willing to pay for such children. Councilman Katzakian moved that the recommendation of the Recreation Commission be approved and that a fee of \$1.00 be charged for swimming instructions for children. The motion was seconded by Councilman Mitchell and carried.

PROPERTY AT  
SE COR ELM  
AND PLEASANT

Mr. Graves reported that the house on the property recently purchased at the southeast corner of Pleasant and Elm Streets was in such poor condition that it was not suitable to rent and he recommended that it be removed and that the property be used temporarily as a parking area for City employees. The Public Works Department would be able to use

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the garage on the property and would like to move it to the Sewage Disposal Plant. Councilman Mitchell moved that advertising for bids for removal of the house at the southeast corner of Pleasant and Elm Streets be authorized, that the garage at said location be moved to the Sewage Disposal Plant, and that the property be graded to serve as a temporary parking area for City employees. The motion was seconded by Councilman Katzakian and carried.

#### ORDINANCES

RECORDS ELM  
BETWEEN CHURCH  
AND PLEASANT  
TO C-P  
ORD. NO. 717  
ADOPTED

ORDINANCE NO. 717, entitled "AMENDING THE OFFICIAL DISTRICT MAP OF THE CITY OF LODI AND THEREBY RE-ZONING CERTAIN PROPERTY ALONG ELM STREET BETWEEN CHURCH STREET AND PLEASANT AVENUE TO BE IN THE C-P COMMERCIAL-PROFESSIONAL OFFICE ZONE," having been introduced at the regular meeting of February 21, 1962, was brought up for passage on motion of Councilman Brown, Katzakian second. Second reading was omitted after reading by title, and was then passed, adopted and ordered to print by the following vote:

AYES: Councilmen - BROWN, KATZAKIAN, MITCHELL, ULLMANN and CULBERTSON

NOES: Councilmen - NONE

ABSENT: Councilmen - NONE

CIVIL DEFENSE  
SHELTERS  
ORD. NO. 718  
ADOPTED


ORDINANCE NO. 718, entitled "AMENDING PARAGRAPH (e) OF SECTION 27-13 OF THE CODE OF THE CITY OF LODI AND THEREBY PERMITTING THE CONSTRUCTION OF CIVIL DEFENSE SHELTERS IN FRONT YARDS OR STREET SIDE YARDS SUBJECT TO ISSUANCE OF A USE PERMIT," having been introduced at the regular meeting of February 21, 1962, was brought up for passage on motion of Councilman Ullmann, Katzakian second. Second reading was omitted after reading by title, and was then passed, adopted and ordered to print by the following vote:

AYES: Councilmen - BROWN, KATZAKIAN, MITCHELL, ULLMANN and CULBERTSON

NOES: Councilmen - NONE

ABSENT: Councilmen - NONE

The meeting adjourned on motion of Councilman Katzakian.

  
Attest: BEATRICE GARIBALDI  
City Clerk